

HOUSE No. 558

By Mr. Connolly of Everett, petition of Edward G. Connolly and James B. Eldridge relative to the indemnification of retired police officers and fire fighters. Public Service.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO INDEMNIFICATION OF THE PUBLIC RETIREES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 100B of Chapter 41 of the General Laws, as appearing
2 in the 1996 Official Edition, is hereby amended by inserting after
3 the last sentence thereof the following sentences:—
4 Such panel shall act on an application hereunder within sixty
5 days of its receipt of due proof from the applicant. An applicant,
6 aggrieved by any denial of his application or the failure of such
7 panel to act thereon within sixty days, may petition the superior
8 court in equity to determine whether such panel has without good
9 cause failed to act on such an application, or has been arbitrary or
10 capricious, or has abused its discretion, or otherwise has not acted
11 in accordance with the law. After due notice and hearing, such
12 court may order such panel to act on such application, or to con-
13 sider or further consider a determination the same in conformity
14 with law, and award the applicant costs, attorney fees and such
15 other relief it deems proper in prosecuting his petition. The
16 expenses, for out of funds appropriated for such purpose within
17 sixty days of such certification. An applicant, aggrieved by the
18 failure to make payment within sixty days of such certification,
19 may petition the superior court to order such payment and award
20 the applicant costs, attorney fees and such other relief it deems
21 proper in prosecuting his petition.